

**SEALED**

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FILED.

DATED: 2:09 pm, August 07, 2020

U.S. MAGISTRATE JUDGE

*Representing the United States of America*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEXANDER KOSTAN,

Defendant.

Case No. 2:20-mj-00661-DJA

COMPLAINT FOR VIOLATION OF:

Count One:

Depredation Against Property of the  
United States – 18 U.S.C. § 1361

BEFORE the Honorable Daniel J. Albregts, United States Magistrate Judge, Las Vegas, Nevada, the undersigned complainant being first duly sworn states:

Count One

(Depredation Against Property of the United States)

On or about May 30, 2020, in the State and Federal District of Nevada,

ALEXANDER KOSTAN,

1 defendant herein, willfully and by means of repeatedly kicking the windows of a building, did  
2 injure and commit and did attempt to injure and commit a depredation against property of  
3 the United States and of any department or agency thereof, and property which had been  
4 manufactured and constructed for the United States, and any department or agency thereof,  
5 specifically the Foley Federal Building, 300 South Las Vegas Boulevard, Las Vegas, Nevada  
6 89101, and the resulting damage was over one thousand dollars (\$1000.00), all in violation of  
7 Title 18, United States Code, Section 1361.

8 PROBABLE CAUSE AFFIDAVIT

9 1. Your Complainant is a Special Agent with the Federal Bureau of  
10 Investigation (FBI), has been so employed since January 10, 2019, and is currently assigned  
11 to the Las Vegas Field Office. Prior to this, he was a police officer for 10 years with the  
12 North Las Vegas Police Department and Western Illinois University Police Department.  
13 As an FBI Agent, your Complainant is assigned to the FBI's Las Vegas Violent Crimes Task  
14 Force and is responsible for investigating a variety of violent crimes, to include bank  
15 robbery, kidnapping, extortion, robbery, carjackings, assaults and murders of federal  
16 officers, racketeering related violent offenses, as well as long-term investigations into the  
17 activities and operations of career criminals, criminal enterprises, drug trafficking  
18 organizations, and violent street gangs. Your Complainant has experience in conducting  
19 criminal investigations, including the investigation of criminal groups and conspiracies as  
20 well as the collection of evidence and the identification and use of witnesses.

21 2. The following information contained within this criminal complaint is based  
22 upon your Complainant's participation in this investigation or was provided to him by  
23 other law enforcement personnel. I have not included every fact known to me concerning  
24

1 this offense. I have set forth only the facts I believe are essential to establish the necessary  
2 foundation for this complaint. All times noted are approximate.

3 FACTS ESTABLISHING PROBABLE CAUSE

4 3. On May 30, 2020, in Las Vegas, Nevada, large crowds gathered in multiple  
5 locations of the Downtown area. A crowd arrived at the Lloyd D George Courthouse,  
6 located at 333 South Las Vegas Boulevard, Las Vegas, Nevada and the Foley Federal  
7 Building (FFB), located at 300 South Las Vegas Boulevard, Las Vegas at approximately  
8 10:15p.m. Participants in the protest became more boisterous, fireworks were set off, the  
9 walls near the buildings were spray painted with obscenities and anti-law enforcement  
10 graffiti, and several small bushes of the landscaping were lit on fire. Multiple individuals  
11 went to the east entrance of the FFB and began to throw paint on the windows and caused  
12 physical damage to the building. Individuals kicked the windows and doors to damage or  
13 break them to make entry, spray painted windows, and attempted to break windows with a  
14 hammer, metal bars, and the metal letters torn off from the sign that read, "FOLEY  
15 FEDERAL BUILDING UNITED STATES COURTHOUSE."

16 4. An on-duty Federal Protective Service (FPS) Protection Security Officer  
17 (PSO) T.W., who was stationed inside the FFB, witnessed the damage and attempted break-  
18 in at the building. T.W. stated the crowd outside could see him inside the building and T.W.  
19 heard persons saying, "Get him!" "Get the cop!" T.W. was in fear of the crowd breaking  
20 through the windows and door and was in fear of the potential actions of the individuals  
21 against his person if they successfully made entry. Ultimately, additional police units arrived  
22 inside the building and the crowd was dispersed. Some letters torn from the FFB were taken  
23 by individuals and not recovered. The Lloyd D. George Federal Courthouse was also  
24 damaged during this time.

1           4.       The FFB property located at 300 South Las Vegas Boulevard, Las Vegas,  
2 Nevada, 89101, was property of the United States and of any department or agency thereof,  
3 and property which had been manufactured and constructed for the United States, and any  
4 department or agency thereof.

5           5.       On June 3, 2020, the General Services (GSA) completed a damage estimate  
6 for the repair and clean-up of the FFB property. The estimate totaled seventy one thousand  
7 three hundred thirty five dollars and seventy-two cents (\$71,335.72).

8           6.       The FFB was equipped with surveillance cameras on the exterior of the  
9 building which captured footage of individuals who damaged the building on May 30, 2020.  
10 One individual who was captured on the surveillance footage damaging the FFB was later  
11 positively identified by investigators as ALEXANDER KOSTAN (hereinafter referred to as  
12 “KOSTAN”).

13           7.       Your Complainant received video surveillance from the FFB of the incident  
14 from the United States Marshals. Your Complainant also viewed multiple social media  
15 videos where footage of the protest and damage done to the FFB was posted. While  
16 reviewing FFB surveillance footage and social media video posts, your Complainant  
17 observed KOSTAN, a white adult wearing a blonde wig, black face mask, a black belly shirt  
18 with white writing on the front, black spandex shorts, a blue backpack, and neon yellow and  
19 black platform shoes. KOSTAN was observed in the FFB video footage and other social  
20 media videos damaging and attempting to damage the building. When KOSTAN was  
21 kicking the building, KOSTAN’s mask was around KOSTAN’s chin and did not obstruct  
22 KOSTAN’s face.

1           8.       On FFB security Camera 09, KOSTAN was observed repeatedly kicking the  
2 windows of the FFB at 22:22:55. KOSTAN kicked the window located on the south end of  
3 the east entrance patio. KOSTAN kicked the window seven times total.



Image #1 – 05/30/2020 - Foley Federal Building Security Camera 09,  
KOSTAN kicking window.



Image #2 – 05/30/2020 - Foley Federal Building Security Camera 09,  
KOSTAN kicking window.

1           9.       KOSTAN was observed in multiple social media videos that recorded the  
2 protests. Within these videos, KOSTAN's actions at the FFB and other locations in the  
3 Downtown Las Vegas area were recorded.

4           10.      KOSTAN was observed in a video on YouTube named "LIVE: George  
5 Floyd Protest in Downton Las Vegas," posted by "Abandoned Explained." Beginning at the  
6 2:03:12 mark of the video, both KOSTAN is seen kicking the windows of the FFB.



15 Image #3 – 05/30/2020 - from "Abandoned Explained" Video, KOSTAN kicking window.





Image #4 – 05/30/2020 - from “Abandoned Explained” Video, KOSTAN leaving window.



Image #5 – 05/30/2020 - from “Abandoned Explained” Video, KOSTAN leaving window.

11. KOSTAN was also observed in a Facebook Live video posted on May 30, 2020. This video shows a white adult wearing a blonde wig, black mask, and black belly shirt with white writing in the crowd of protesters. In the same video, an overall view of KOSTAN is seen. KOSTAN is seen wearing the same black spandex shorts, a blue backpack, and neon yellow and black platform shoes observed during the FFB damage. KOSTAN can be seen between the 32:50 and the 34:50 mark of the video.





Image #6 – 05/30/2020 - from Facebook Live video, KOSTAN in same outfit as when KOSTAN damaged the FFB. During an interview with law enforcement, KOSTAN confirmed that the photo depicted KOSTAN.



Image #7 – 05/30/2020 - from Facebook LIVE" Video, KOSTAN in same outfit as when KOSTAN damaged the FFB.

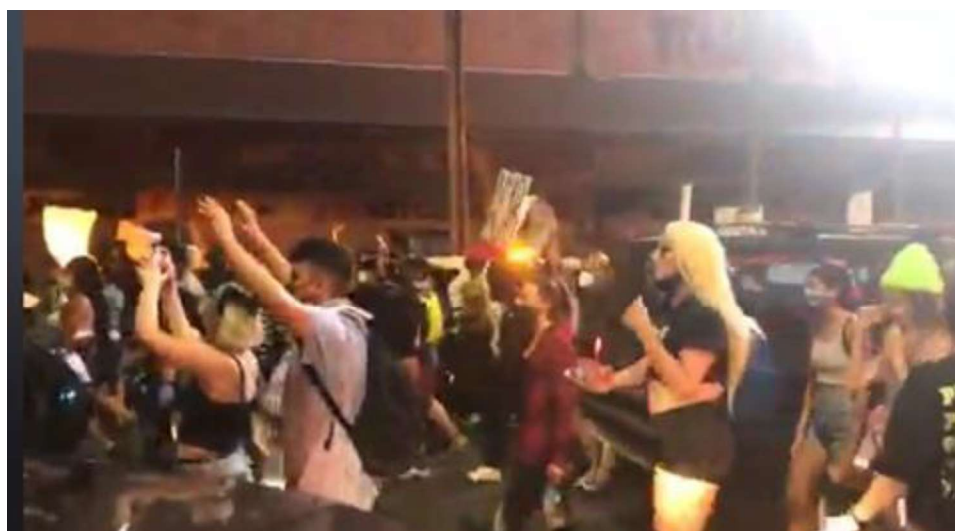


Image #8 – 05/30/2020 - from Facebook Live Video, KOSTAN in same outfit as when KOSTAN damaged the FFB.

1           12.     Your Complainant also viewed publicly posted photos on Twitter from the  
2 protests. While reviewing photos, Your Complainant observed photos of a white adult who  
3 appeared to be the same height, body-build, and appearance of the white adult seen kicking  
4 the FFB building on May 30, 2020. This white adult was tagged in a Twitter post as  
5 "@bitcherotica." Further searching showed @bitcherotica's name to be ALEXANDER  
6 KOSTAN.

7           13.     On July 29, 2020, Agents met with ALEXANDER KOSTAN at KOSTAN's  
8 residence. Agents advised KOSTAN of the nature of their visit and KOSTAN agreed to  
9 speak with them.

10          14.     Initially, KOSTAN denied attending the protests on May 30, 2020.  
11 KOSTAN did admit attending several protests in Las Vegas which occurred in late May and  
12 early June, 2020, but denied being at the protest on May 30, 2020. KOSTAN said that on  
13 May 30, 2020, KOSTAN never left KOSTAN's house. According to KOSTAN, KOSTAN  
14 was just "chilling and relaxing" at home.

15          15.     KOSTAN admitted to being at the protests on June 1, 2020. KOSTAN  
16 attempted to locate videos on KOSTAN's phone of KOSTAN at the protests. As KOSTAN  
17 swiped through multiple videos on the phone when attempting to locate the videos, Agents  
18 could hear crowds chanting and police sirens. KOSTAN said those recordings were not  
19 from June 1, 2020.

20          16.     Agents asked KOSTAN if KOSTAN's phone would show if KOSTAN was  
21 downtown on May 30, 2020. KOSTAN then admitted going Downtown on May 30, 2020  
22 and attending the protests.

17. KOSTAN confirmed to the agents that KOSTAN was the white adult wearing a blonde wig, black mask, and black belly shirt with white writing in the screenshot taken from the Facebook Live video posted on May 30, 2020 (see image 6).

18. KOSTAN was also shown multiple photos from the FFB being damaged on May 30, 2020, including images from the FFB surveillance and "Abandoned Explained," YouTube video (see images 1, 3, and 5). KOSTAN denied being the white adult in the photos and smiled. When asked about the matching wig and clothing worn by KOSTAN on May 30, 2020 and the individual in the FBB surveillance video, KOSTAN's explanation was that there are many guys with blonde wigs, there are many guys with that shirt, and there are many guys with "booty shorts" and those same shoes. When asked where the clothing items were that KOSTAN wore at the May 30th protests, KOSTAN told the agents that KOSTAN threw away the clothing the next day.

### CONCLUSION

19. Based on the foregoing facts and information, Your Complainant believes there is probable cause to believe that ALEXANDER KOSTAN did commit a violation of 18 U.S.C. § 1361 – Depredation Against Property of the United States.



Special Agent Zachary Franklin  
Federal Bureau of Investigation

Attested to by the Applicant in accordance with the requirements of Fed. R. Crim. P. 41 by telephone on this 7<sup>th</sup> day of August, 2020.



THE HONORABLE DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

